

REMARKS

Claims 1–13, and 18–20 are pending with claim 20 added by this paper. Support for a linear alkylene spacer group can be found in the specification at page 31.

Claim Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 1 and 11 have been amended to remove this ground of rejection. Consequently, Applicants respectfully submit that this ground of rejection should be withdrawn.

Claim Rejections Under 35 U.S.C. §102

Claims 1–9, 11–13 and 18 stand rejected as allegedly being anticipated by U.S. Patent No. 4,892,392 (Broer I). Applicants respectfully traverse these rejections.

Broer fails to teach a polymerizable mixture comprising 10 to 99% by weight of at least one compound having one polymerizable functional group and 5 to 70% by weight of at least one compound having two or more polymerizable functional groups. Rather, Broer teaches mixtures of monomers of formulae 2 and 3, and formulae 5 and 6, where all the monomers have two polymerizable functional groups. Consequently, Applicants respectfully submit that these rejections should be withdrawn.

Claims 1–5 and 11–13 stand rejected as allegedly being anticipated by U.S. Patent No. 5,506,704 (Broer II). Applicants respectfully traverse these rejections.

Broer II fails to teach at least one compound having two or more polymerizable functional groups wherein the spacer group is a linear alkylene spacer group. See, e.g., col. 9, lines 7-22, and FIG. 2A of Broer II. The non-linearity of the spacer group is necessitated in Broer II, since it provides the required chirality. Consequently, Applicants respectfully submit that these rejections should be withdrawn.

Claims 1–13 stand rejected as allegedly being anticipated by U.S. Patent No. 5,762,823 (Hikmet). Applicants respectfully traverse these rejections.

Hikmet fails to teach or suggest 5 to 70% by weight of at least one compound having two or more polymerizable functional groups. Rather, Hikmet teaches a layer which consists of a maximum of two weight percent of monomers having at least two polymerizable groups (see paragraph bridging columns 4–5). Consequently, Applicants respectfully submit that these rejections should be withdrawn.

Claims 1, 3–9 and 11–13 stand rejected as allegedly being anticipated by U.S. Patent No. 5,863,457 (Hasabe) and claims 1, 3–5, 9, 11–13 and 18 stand rejected as allegedly being anticipated by U.S. Patent No. 5,948,486 (Sage). Applicants respectfully traverse these rejections.

Both Hasabe and Sage fail to teach a polymerizable mixture comprising 10 to 99% of at least one compound having one polymerizable functional group and 5 to 70% by weight of at least one compound having two or more polymerizable functional groups. The polymeric compositions therein do not contain mixtures of compounds with differing numbers of polymer groups. Consequently, Applicants respectfully submit these rejections should be withdrawn.

With respect to the § 102 rejections based on U.S. Patent No. 6,316,066 (Jolliffe), U.S. Patent No. 5,989,461 (Coates), and U.S. Patent No. 5,770,107 (Hassall), Applicants respectfully submit that under 35 U.S.C. §102(e), Jolliffe has an effective prior art date of 25 July 1997, Coates has an effective prior art date of 3 July 1997 and Hassall has an effective prior art date of 4 October 1996. Applicants have perfected their claim to priority of EP 96114855.8 filed 17 September 1996. A certified copy was provided in the grandparent application, Serial No. 09/254,185, as depicted in the Notification of Acceptance mailed

9 December 1999. Thus, Joliffe, Coates and Hassall are not prior art. Attached hereto is a non-certified copy of Applicant's priority application, which was filed in English.

Claim Rejections Under 35 U.S.C. §103

Claims 1–9, 11–13, and 18–19 stand rejected as allegedly being unpatentable over Broer I and claims 1, 3–5, 9, 11–13 and 18–19 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable Sage. As discussed above, Applicants respectfully submit that both Broer I and Sage fail to teach or suggest a polymerizable mixture comprising at least one compound having one polymerizable functional group and at least one other compound having at least two polymerizable functional groups. There is no suggestion of mixtures of two components with differing numbers of polymer groups in either of the references. Consequently, Applicants respectfully submit these rejections should be withdrawn.

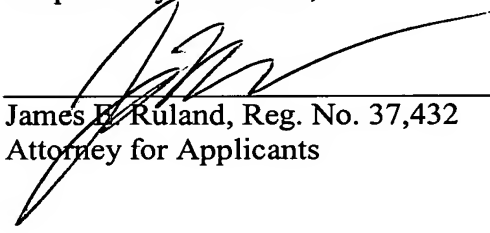
Double Patenting

Claims 1–19 stand rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claim 13 of U.S. Patent No. 6,379,758; claims 1–8 of U.S. Patent No. 6,183,822 [*sic*]; claim 14 of U.S. Patent No. 6,544,605; and claims 1–43 of U.S. Patent No. 6,669,865. Attached hereto is a Terminal Disclaimer. Consequently, Applicants respectfully submit that these rejections should be withdrawn.

In view of the above remarks, favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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